

Town Council Adopted May 3, 1999

Town of Winthrop

Road Openings Policy

I. Permit Required

A. No opening in any street or sidewalk shall be made before first obtaining a street-opening permit from the Road Commissioner or Town Manager. All permits will be issued in accordance with the provisions of MRSA Title 23 Sections 2701-3707. In the case of an emergency situation involving a utility, the utility may excavate without an opening permit. However, the utility shall be responsible for obtaining an opening permit as soon as possible after the emergency and, in any case, before the excavation is permanently backfilled.

B. Winter permits: No street-opening permit will be issued from December 1 of each year to March 15 of the following year, except in an extreme emergency as determined by the Road Commissioner or Town Manager.

C. The applicant will be responsible for traffic control: signs, flag persons where applicable and shall conform to the latest edition of the "Manual on Uniform Traffic Control Devices"(MUTCD). If the street is to be impassable, all agencies shall be notified in writing (police, fire and ambulance). The applicant shall be required to meet all OSHA Safety Requirements, including those regarding depth of trench and shoring.

II. Notice to Owners to Connect

A. Whenever the paving or repairing of any street or public highway shall have been ordered by the Town the Town Manager or a person designated by the Manager, shall duly serve upon owners of property abutting on such street or highway and upon all corporations, persons, firms and bridge or water districts occupying such street or highway a notice directing such owners, corporations, persons, firms and bridge or water districts to make such sewer, water and conduit connections or other work as may be designated, within 60 days from date of such notice. At the expiration of the time fixed and after such street has been pave or repaired, no permit shall be granted to open such street for a period of 5 years, except in the event of an emergency as determined by the Town Manager.

B. In the event an emergency permit is issued, the applicant shall be responsible for repairing the entire width of the road, and is long enough to allow for machine placed surface pavement.

III. Backfilling Procedure

A. Whenever a permit has been issued for a street opening and the excavation has been made, the trench opening shall be backfilled with the same material that was removed from the trench to within 15 (fifteen) inches of existing pavement, except as may be hereinafter provided. The bottom twelve (12) inches of the trench shall be filled with 3 inch minus gravel. The top 3 inches of the trench shall be 1 ½ minus crushed gravel. If a permit is issued during the wintertime and the excavated material freezes, this frozen material shall not be replaced in the trench but shall be removed. The excavated area is to be backfilled with an unfrozen material similar to that removed to within (fifteen) 15) inches of the surface. If the material excavated contains too much moisture for proper compaction, it shall be removed and replaced with suitable backfill material. Compaction shall be in 12 inch lifts.

IV. Surface Pavement

A. On all streets where a permanent pavement has been built, the permanent surface shall be replaced after the trench has been properly backfilled, except that when openings are authorized after November 1 and before April 1 of the next year, a temporary surface of premixed bituminous material shall be used, and this temporary patch shall remain until the following construction year when the permanent surface shall be placed. On all other streets, the trench shall be patched with premixed bituminous material as soon as the backfilling has been completed, and the joints between the old and new material shall be sealed to prevent surface water from penetrating through the joint. In all cases, whenever or wherever a street opening has been made in any road, street or sidewalk having a permanent or semi-permanent surface, the edges of the pavement shall be squared up before the permanent patch is made.

B. If the work replacing any of the backfill and /or the pavement surface of an excavation proves unsatisfactory within two years from the time of excavation, the patch shall be corrected by the Town at the applicant's expense.

V. Penalties

A. Any person, firm or corporation violating the provisions of the policy shall be subject to fines of no more than \$100 for each offense. Any person, firm or corporation who shall fail to comply with the terms and conditions of the policy shall be denied future permits.